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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,474

03/17/2004

Stan Cheng

23724-08325

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EXAMINER

GABLER, PHILIP FRANCIS

ART UNIT

PAPER NUMBER

3637

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/803,474	Applicant(s) CHENG, STAN	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,9,10,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9,10,13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 November 2006 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 4-6, 9, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "the edge" in its second line. There is insufficient antecedent basis for this limitation in the claim. Further, claim 1 introduces a chassis cover and a removable structure in functional language (i.e. "adapted to support..."). It is unclear whether these features are intended as positive claim limitations or are merely part of the functional limitation.

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5. Claims 5 and 6 recite the limitation "the computer chassis frame" in their second lines. There is insufficient antecedent basis for this limitation in the claims.
6. Claims 2, 4-6, 9, and 10 are deemed indefinite as being dependent on an indefinite claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

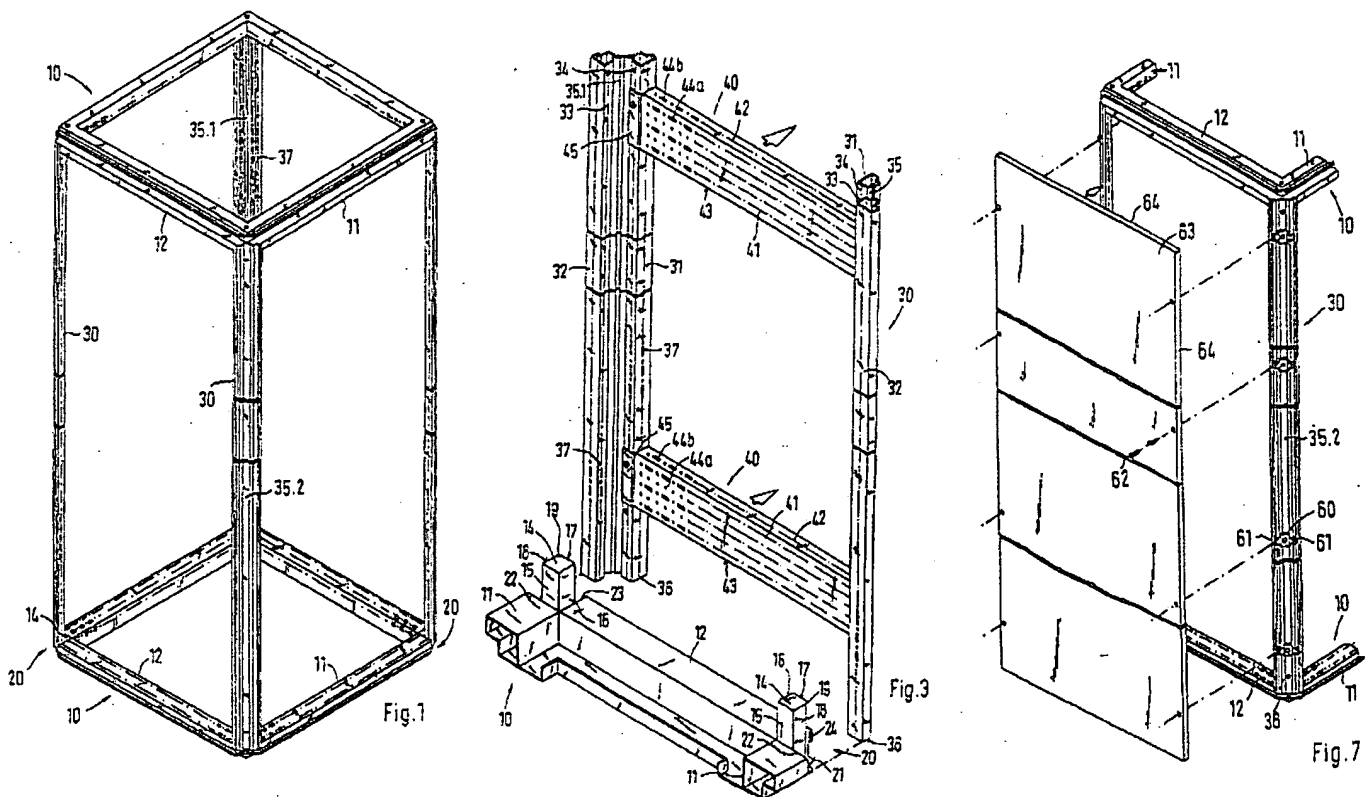
8. Claims 1, 2, 4-6, 9, 10, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Nicolai et al. (US Patent Number 6123400).
9. Regarding claims 1, 2, 9, and 13, Nicolai (Figures 1, 3, and 7) discloses a chassis apparatus usable with a computer comprising: a chassis frame (10) comprising a set of load-bearing rails (30) located on edges of the frame; and a plurality of protrusions (box-like protrusions at sides of 30) formed on the load-bearing rails and adapted to support a chassis cover (63) for fitting over and secured to the chassis frame, and to laterally secure a removable structure (40) to the chassis frame in at least two directions by coupling the protrusions with portions (45) of the structure formed to be secured thereover, the removable structure configured to be capable of housing at least one small form factor computer component (see for example column 4 lines 65-67).

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10. Regarding claim 4, Nicolai further discloses each protrusion has a flat top surface (viewed as the outer surface abutting the cover) to support the chassis cover.

11. Regarding claims 5 and 6, Nicolai further discloses protrusions which are mounted and integrally formed with the load-bearing rails of the chassis frame.

12. Regarding claim 10, Nicolai further discloses the portions of the structure comprise protrusions corresponding to the protrusions of the chassis frame.



Nicolai et al. '400 Figures 1, 3, and 7

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1, 2, 4-6, 9, 10, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (US Patent Number 5164886) in view of Jeong (US Patent Number 6404624).

15. Regarding claims 1, 2, 9, and 13, Chang (Figure 1) discloses a chassis apparatus usable with a computer comprising: a chassis frame (2, including 5, 24, etc.) comprising a set of load-bearing rails (5, portions of 24) located on edges of the frame; and a plurality of protrusions (51, 241) formed on the load-bearing rails, and to laterally secure a removable structure (6) to the chassis frame by coupling the protrusions with portions (60) of the structure formed to be secured thereover, the removable structure configured to be capable of housing at least one small form factor computer component (element 6 is a drive holder). Chang does not disclose the protrusions as supporting a chassis cover (which is present as element 1). Jeong (Figures 1 and 4C) discloses a computer chassis apparatus including a load-bearing surface (upper surface of 40) including protrusions, or means for supporting a chassis cover, (viewed as A in Exhibit 1) configured to support a chassis cover (180). [See Figure 4C and column 4 lines 2-7 for disclosure of 40 (and protrusions A) acting as a support for the cover, monitor, etc.] Accordingly, it would have been obvious to one of ordinary skill in the art to replace

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Chang's protrusions with Jeong's protrusions (i.e. domes which would engage the cover in place of hooks that do not) because this arrangement would provide additional strength and support to the chassis apparatus by better supporting the cover while still securing the removable structure (the holes of the removable structure would be fitted over and around the protrusions, laterally securing the structure in at least two directions).

16. Regarding claim 4, Chang and Jeong further disclose flat-topped protrusions (see figures).

17. Regarding claims 5 and 6, Chang and Jeong further disclose protrusions which are mounted to and integrally formed with the load-bearing rails.

18. Regarding claim 10, Chang further discloses the portions of the structure comprise protrusions corresponding to the protrusions of the chassis frame (portions of protrusions 60 mate with the protrusions of the frame).

19. Regarding claim 14, Chang discloses a computer chassis apparatus comprising: a computer chassis frame (2, including 5, 24, etc.) for a form factor computer comprising at least two upward facing surfaces (upper surfaces of 5 and 24); a plurality of oblong rounded structures (51, 241) formed into the upward facing surfaces of the computer chassis frame and distributed along the surfaces; a removable drive frame (6) capable of supporting a plurality of drives of different sizes adapted to be installed within the computer chassis, the removable drive frame comprising interface structures (601) corresponding to each rounded structure. Chang does not disclose domes on the upward facing surfaces for supporting a chassis cover (the cover present as element 1).

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Jeong discloses a computer chassis frame with domes (A) formed on an upward facing surface for supporting a chassis cover. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang's oblong rounded structures to be domes as taught by Jeong because this arrangement would make installation and removal of the removable drive frame quicker and more simple (the frame could simply be placed on the upward facing surfaces with the interface structures fitting over the domes rather than sliding under hooks) as well as providing better support for the cover.

Fig. 1

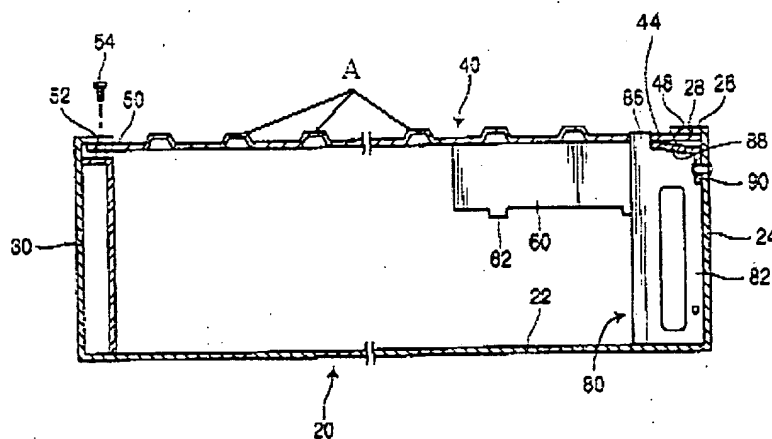
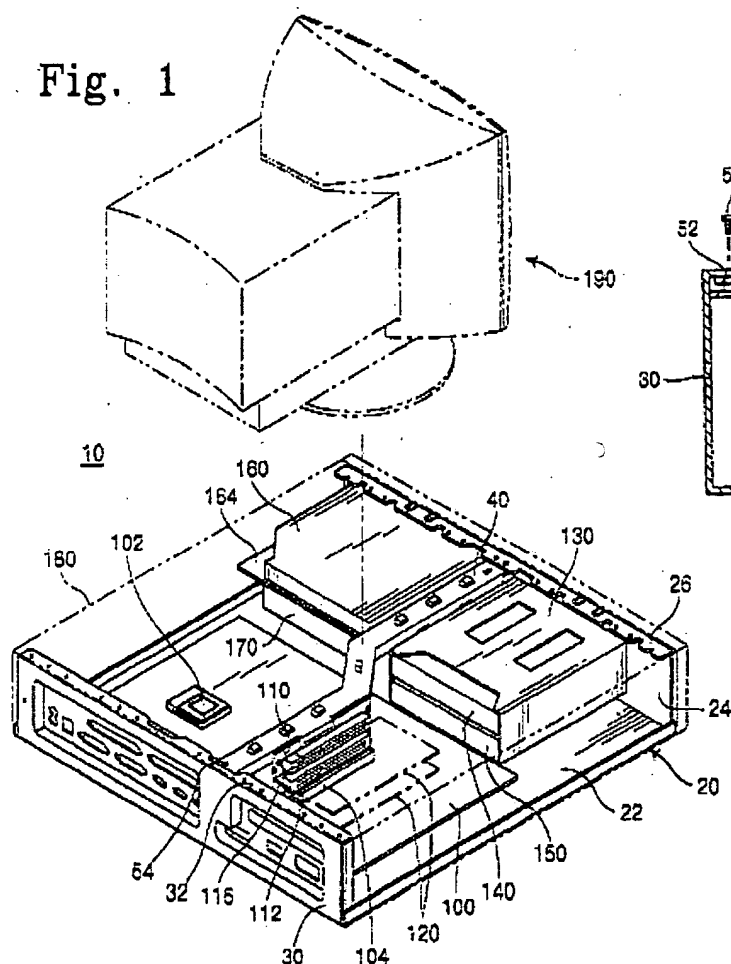


Fig. 4C

Exhibit 1: Jeong '624 Figures 1 and 4C

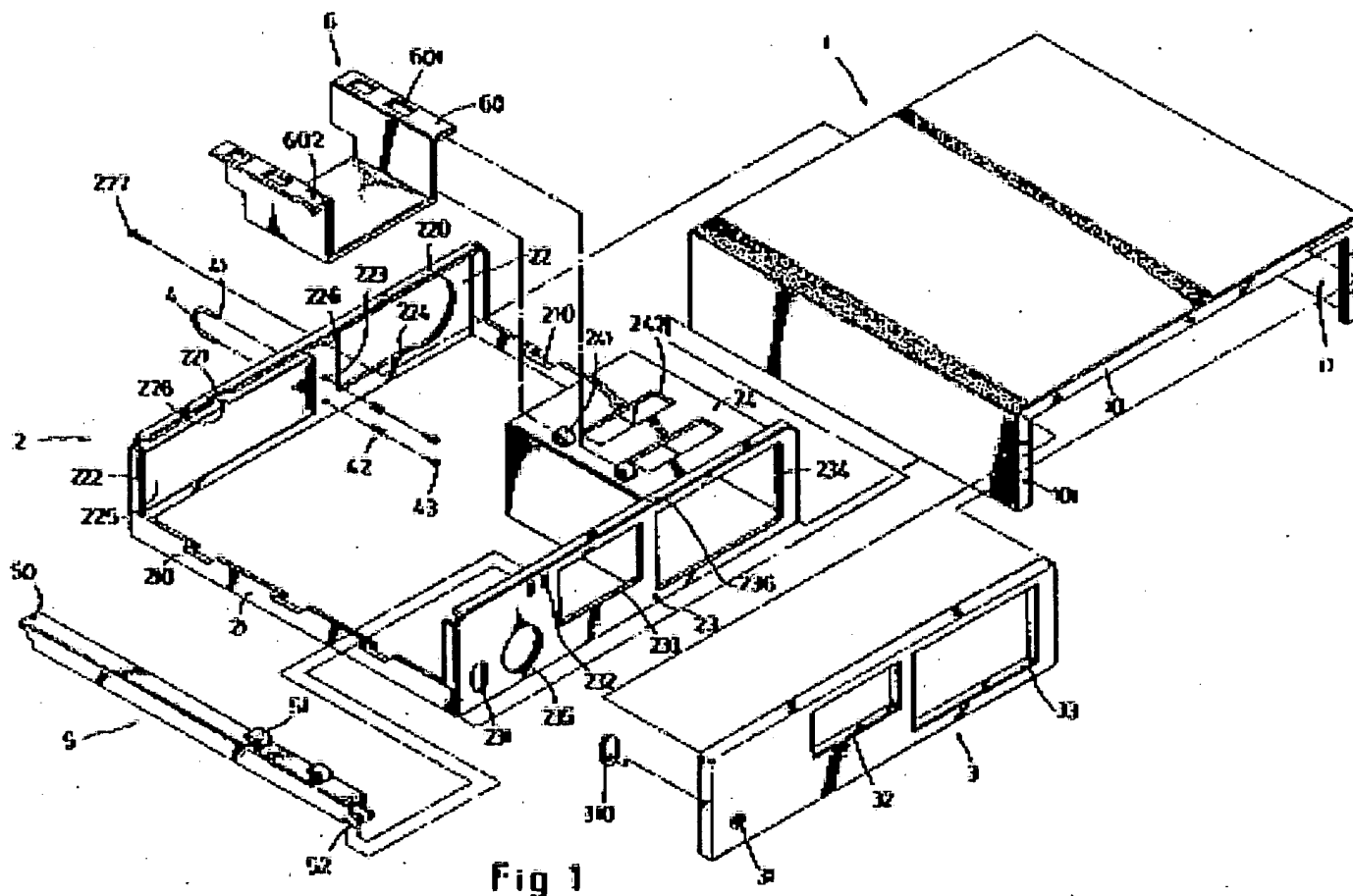


Fig 1

Chang '886 Figure 1

Response to Arguments

20. Applicant's arguments filed 30 November 2006 have been fully considered but they are not persuasive. While Applicant is correct in his assertion that differences between Applicant's invention and the prior art were discussed, particularly with regard to the way in which a removable structure is secured to a chassis frame; the amendments to the claims as presented are not viewed as sufficient to distinguish Applicant's invention. The distinguishing features of Applicant's invention (such as

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protrusions of an identical shape, size and orientation as the protrusions of the chassis frame present on the removable structure for mating with the protrusions of the chassis frame to lie between the chassis frame protrusions and the chassis cover when the removable structure is mounted in the chassis frame, etc.) must be specifically and clearly incorporated into the claim language in order to distinguish Applicant's invention from the prior art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

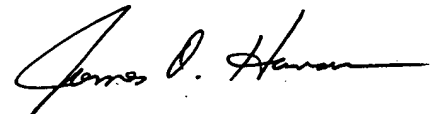
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFG

1/10/2007



JAMES O. HANSEN
PRIMARY EXAMINER